

**AFFIDAVIT IN SUPPORT OF**  
**AN APPLICATION FOR ARREST WARRANT**

I, Adam J. Houston, being duly sworn, depose and state as follows:

**INTRODUCTION**

1. I am a Detective with the Rhode Island State Police (RISP) and have been so employed for approximately nine (9) years. I am also a cross-designated Title 19 Task Force Officer with the Department of Homeland Security (DHS), Homeland Security Investigations (HSI) and have been so for approximately three (3) years. I am currently assigned to the Computer Crimes Unit within the Rhode Island State Police Detective Division and I am a member of the Rhode Island Internet Crimes Against Children (ICAC) Task Force.

2. As such, I am responsible for investigations involving the production, importation, advertising, receipt and distribution of child pornography that occur in the state of Rhode Island. I have specific training and experience in the investigation of computer-related crimes. I have received training through the Department of Homeland Security, Department of Justice and Rhode Island State Police, in the areas of child pornography and child sexual exploitation, in violation of 18 U.S.C. § 2252. I have observed and reviewed examples of child pornography, as defined by 18 U.S.C. § 2256, in all forms of media, including computer media. As a Title 19 Task Force Officer, I am authorized to investigate violations of the United States and I am authorized to execute warrants issued under the authority of the United States.

3. The following information is based upon my personal knowledge as well as information provided to me by other officers and agents and is presented in support of the issuance of a complaint and arrest warrant against Christopher Kinney, born in 1974, charging him with attempted enticement of a minor, in violation of 18 U.S.C. § 2422(b), distribution of child pornography, in violation of 18 U.S.C. § 2252(a)(2), and possession of child pornography, in violation of 18 U.S.C. § 2252(a)(4)(B).

4. The statements in this affidavit are based on information personally known to me and also provided by other officers of the Rhode Island State Police.

#### **BACKGROUND OF THE INVESTIGATION AND PROBABLE CAUSE**

5. On March 30, 2018, an individual from Warren, Rhode Island responded to the barracks to report a co-worker, whom he identified as Christopher Kinney, DOB: YOB: 1974, (hereinafter "Kinney") of 631 Metacom Avenue, Warren, Rhode Island began talking to him through the online social media website, Facebook. The individual advised that Kinney (Facebook identification number 100009634308113) began communicating with him through Facebook, after making casual conversation at their mutual place of employment. The individual advised that when he observed Kinney's Facebook page he found it to have a lot of disturbing images and conversations about young children. Additionally, the individual showed officers images on Kinney's Facebook page depicting topless juvenile females wearing diapers. The individual also advised that Kinney had recently moved a drug-dependent woman with several kids into his home and that Kinney had made statements that he wanted to adopt a five (5) year-old girl.

6. Checks of law enforcement databases revealed Kinney was investigated by the Rhode Island State Police twice for child molestation and was an involved participant in a Warren Police Department incident for alleged child abuse. Additionally, contact with the Rhode Island Department of Children Youth and Families (DCYF) regarding Kinney established that he had applied in October 2017 to be a foster parent, but was denied in March 30, 2018 for several reasons, one being his cohabitant Jane Doe,<sup>1</sup> YOB: 1990 was currently being investigated by DCYF for several issues involving her children. DCYF advised that Kinney could appeal the decision and could be granted foster parent status if Jane Doe moved out of his residence.

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<sup>1</sup> Jane Doe is used to protect the identity of Kinney's actual cohabitant and the identities of her children.

7. Your affiant conducted a review of Kinney's Facebook profile (identification number 100009634308113). The aforementioned Facebook profile has the display name of "Chris Kinney" and has a picture of several stacked diapers with a baby's pacifier resting on top. On Chris Kinney's timeline, there are several posts about children wearing diapers. In addition, in the "About" section of the Facebook profile revealed several "Likes." Your affiant knows from education, training and experience that when a Facebook user "Likes" a page, the default setting is that they also follow the page. As a result, the liked Facebook page posts will appear on the users personal Facebook feed. Your affiant reviewed Chris Kinney's "Likes" which included, but were not limited to, "Child discipline", "Bring back the belt people" and "Children need discipline."

8. Based on this information your affiant initiated an undercover investigation. While acting in an undercover capacity, portraying myself as a fourteen (14) year-old female, your affiant made a friend request to Kinney on April 16, 2018, which Kinney accepted on the same day. On the same date, Kinney contacts your affiant, a person whom he believes to be a 14-year-old female through Facebook messenger. The chat communications set forth below are quoted verbatim, including any misspellings and grammatical errors. The dates and times of the messages are in parenthesis:

*Chris Kinney: Hello do you wear diaper or get spanked by your parent (April 16, 2018, at 12:19 PM)*

*Undercover: Well my mom def spanked me (April 16, 2018, at 12:25 PM)*

*Chris Kinney: Ok bare bottom (April 16, 2018, at 12:26 PM)*

*Undercover: yea ☺ (April 16, 2018, at 12:26 PM)*

*Chris Kinney: Ok (April 16, 2018, at 12:27 PM)*

*Undercover: sorry im kind of shy about the whole thing... (April 16, 2018, at 12:27 PM)*

*Chris Kinney: Ok (April 16, 2018, at 12:27 PM)*

*Chris Kinney: I have a daughter that get spanked too and also wear diaper still (April 16, 2018, at 12:28 PM)*

Undercover: well im 14 and my mom has spanked me recently..but i dont wear a diaper. not opposed to trying tho (April 16, 2018, at 12:29 PM)

*Chris Kinney: So you would try a diaper on (April 16, 2018, at 12:30 PM)*

Undercover: depends...i may try it...ill try anything once (April 16, 2018, at 12:30 PM)

*Chris Kinney: Ok cool (April 16, 2018, at 12:31 PM)*

*Chris Kinney: If you had a choice of a spanking or wearing a diaper as a punishment while one would you take (April 16, 2018, at 12:33 PM)*

Undercover: well i havent worn a diaper since i was a baby so i prob would say spanking (April 16, 2018, at 12:33 PM)

*Chris Kinney: Ok (April 16, 2018, at 12:34 PM)*

*Chris Kinney: What did you get spanked for last (April 16, 2018, at 12:35 PM)*

Undercover: im always getting in trouble tbh, its just me and my mom and she is never around so, i honestly dont remember exactly (April 16, 2018, at 12:36 PM)

*Chris Kinney: Ok I'm a single dad too (April 16, 2018, at 12:37 PM)*

Undercover: cool (April 16, 2018, at 12:39 PM)

Undercover: u into younger? (April 16, 2018, at 12:39 PM)

*Chris Kinney: What do you mean (April 16, 2018, at 12:41 PM)*

Undercover: oh i just figured u were into younger girls because of my age (April 16, 2018, at 12:43 PM)

Undercover: sorry if i offended u (April 16, 2018, at 12:43 PM)

Undercover: ☺ (April 16, 2018, at 12:43 PM)

Undercover: ? gues not (April 16, 2018, at 12:48 PM)

*Chris Kinney: Yes I have a daughter two year younger than you (April 16, 2018, at 12:51 PM)*

*Chris Kinney: She get spanked too (April 16, 2018, at 12:51 PM)*

Undercover: cool, does she like it? (April 16, 2018, at 12:53 PM)

*Chris Kinney: Like what (April 16, 2018, at 12:53 PM)*

Undercover: getting spanked (April 16, 2018, at 12:54 PM)

*Chris Kinney: no she will sometime ask if she can wear a diaper a as punishment (April 16, 2018, at 12:54 PM)*

*Undercover: do u spank hard (April 16, 2018, at 12:55 PM)*

*Chris Kinney: Yea I do (April 16, 2018, at 12:55 PM)*

*Undercover: i think i owuld choose the diaper then lol (April 16, 2018, at 12:56 PM)*

*Chris Kinney: Then get put in the corner with her pants down (April 16, 2018, at 12:56 PM)*

9. The conversation continues between "Chris Kinney" and your affiant through Facebook messenger. Kinney continues to talk about his fascination with diapers and asks if your affiant, a person whom he believes to be a 14-year-old female, would wear a diaper. Additionally, when asked how he disciplined his 12-year-old daughter, the suspect states, "Well it pants off and panties off spanking then get put in the corner with her pants /panties off when get put in a diaper for the rest of the day (April 16, 2018, at 1:53 PM)." The suspect then states, "And some time a pacifier too in her mouth while in corner (April 16, 2018, at 1:55 PM)." Your affiant then asked the suspect, "do u take pics? (April 16, 2018, at 1:55 PM)" The suspect responds by stating, "Sometime (April 16, 2018, at 1:55 PM)."

10. The suspect continues to talk to your affiant, a person whom he believes to be a 14-year-old about discipling children by forcing them to wear diapers. On April 16, 2018, at 2:39 PM, the suspect sends your affiant an image depicting a juvenile female standing next to her bed. The juvenile is facing backwards with her pants and underwear are pulled down to her ankles, and she is wearing a diaper. The suspect responds to the image by stating, "Here a girl got put in a diaper as a punishment (April 16, 2018, at 2:40 PM)." When asked if he (the suspect) put the diaper on himself, the suspect states, "Yes (April 16, 2018, at 2:42 PM)" and "She got a spanking too (April 16, 2018, at 2:43 PM)."

11. Your affiant knows from education, training and experience that those who have demonstrated an interest or preference in sexual activity with children will attempt to "groom" them through conversation. Your affiant knows that child grooming is a

behavior that is a characteristic of pedophilia. Furthermore, your affiant knows that child grooming serves to befriend and establish an emotional connection with a child, and sometimes the child's family, to lower the child's inhibitions to engage in sexual activity constituting child sexual abuse.

12. The suspect begins his child grooming activity through Facebook messenger on April 16, 2018, by asking your affiant, a person whom Kinney believes to be a 14-year-old girl, "Do you have any brother or sister (April 16, 2018, at 2:44 PM)," and "Does Mom have a boyfriend (April 16, 2018, at 2:44 PM)." He then asks if your affiant has a boyfriend. The suspect then states, "If there anything you want to talk about we can (April 16, 2018, at 2:48 PM)" and "Have you ever done anything (April 16, 2018, at 2:49 PM)" "With a guy or boy (April 16, 2018, at 2:50 PM)." After advising the suspect that your affiant, a person whom he (the suspect) believes to be a 14-year-old girl was a virgin, the suspect responds by stating, "Good (April 16, 2018, at 2:50 PM)" and that he liked that. Additionally, the suspect asks, "Does your mom spank you over her knee or over the side of the bed (April 16, 2018, at 2:52 PM)."

13. On April 18, 2018, the conversation between the suspect and your affiant continues through Facebook messenger. The suspect asks your affiant, "Did you get a spanking lately (April 18, 2018, at 9:07 AM)" and states, "I miss you yesterday (April 18, 2018, at 9:09 AM)" and, "Have you been thinking about the diaper (April 18, 2018, at 9:10 AM)." The suspect then asks your affiant to talk to your affiant's mother about putting a diaper on your affiant. The suspect states that, "I would feel better if your mom was there too (April 18, 2018, at 9:25 AM)" and, "Well i could talk to her about a different punishment that would work for you (April 18, 2018, at 9:28 AM)." After advising the suspect that it wasn't a good idea, the suspect persists and states, "Even if she didn't have to spank you anymore (April 18, 2018, at 9:32 AM)" and, "You could tell her you talk to my daughter about it and I'm here if she want to talk to me (April 18, 2018, at 9:37 AM)." The suspect continues by stating, "Maybe I could date your mom lol (April 18, 2018, at 9:40 AM)" and, "Yes then you could be in diaper all the time if you want instead of a spanking (April 18, 2018, at 9:44 AM)."

14. On April 18, 2018, the suspect continues his grooming behavior and asks your affiant about meeting in person and measuring the waist of your affiant, a person whom Kinney believes is a 14-year-old girl:

*Chris Kinney: How far away from the mall do you live (April 18, 2018, at 10:12 AM)*

*Undercover: im closer to the airport (April 18, 2018, at 10:15 AM)*

*Chris Kinney: Ok (April 18, 2018, at 10:15 AM)*

*Chris Kinney: If you could get to the mall we could meet there (April 18, 2018, at 10:19 AM)*

*Undercover: yea def...i would do that..i prob can next week sometime. (April 18, 2018, at 10:20 AM)*

*Chris Kinney: Ok (April 18, 2018, at 10:21 AM)*

*Chris Kinney: What are you wearing now for clothes. If there anything you want to know I'm here (April 18, 2018, at 10:33 AM)*

*Chris Kinney: You could tell your mom that you hear about a new way of displainong you (April 18, 2018, at 10:36 AM)*

*Undercover: believe me she would think something is wierd believe me...not a good idea to tell her (April 18, 2018, at 10:37 AM)*

*Chris Kinney: Ok (April 18, 2018, at 10:37 AM)*

*Chris Kinney: Would you wear the diaper home (April 18, 2018, at 10:37 AM)*

*Chris Kinney: Can you measure your waist with a tape measure (April 18, 2018, at 10:42 AM)*

*Undercover: well i dont have a tape measure, but my pant size is a junior size 1 (April 18, 2018, at 10:45 AM)*

*Chris Kinney: Ok I just want to know hoe big your waist was around to get you the right size diaper (April 18, 2018, at 10:46 AM)*

*Undercover: i dont have anything to measure it (April 18, 2018, at 10:47 AM)*

*Chris Kinney: Ok (April 18, 2018, at 10:47 AM)*

*Chris Kinney: I have a few different sizes i. Could bring if we meet (April 18, 2018, at 10:48 AM)*

*Undercover: cool...and where would i put these on (April 18, 2018, at 10:49 AM)*

*Chris Kinney: I think the mall has a family bathroom (April 18, 2018, at 10:49 AM)*

*Undercover: ok...so would u go in with me and put it on? (April 18, 2018, at 10:50 AM)*

*Chris Kinney: You would have to wear like tight sweatpants or them pink pants you have on in one of your pic (April 18, 2018, at 10:50 AM)*

*Chris Kinney: Yes (April 18, 2018, at 10:50 AM)*

*Chris Kinney: If you want me too (April 18, 2018, at 10:52 AM)*

*Undercover: ok cool...then what would we do? (April 18, 2018, at 10:52 AM)*

*Chris Kinney: Maybe a walk around the mall or what would you want to do (April 18, 2018, at 10:53 AM)*

*Undercover: ok..i rather you decide what we do☺ (April 18, 2018, at 10:54 AM)*

*Chris Kinney: Ok I would never touch you sexual I would get in trouble (April 18, 2018, at 10:55 AM)*

*Undercover: oh ok (April 18, 2018, at 10:55 AM)*

*Chris Kinney: I could get in trouble just for meeting you (April 18, 2018, at 10:55 AM)*

*Undercover: ok..well i dont want you to get in trouble so i understand if you dont want to (April 18, 2018, at 10:57 AM)*

*Chris Kinney: I would if you want me to (April 18, 2018, at 11:01 AM)*

*Undercover: im not opposed ☺ (April 18, 2018, at 11:02 AM)*

*Chris Kinney: What (April 18, 2018, at 11:02 AM)*

*Undercover: i thought you said you would if you want me to and i said im not opposed (April 18, 2018, at 11:03 AM)*

*Undercover: i guess i misunderstood u (April 18, 2018, at 11:05 AM)*

*Chris Kinney: Ok (April 18, 2018, at 11:05 AM)*

*Chris Kinney: Do you wear underwear or thom (April 18, 2018, at 11:05 AM)*

*Undercover: thong or none (April 18, 2018, at 11:08 AM)*

*Chris Kinney: Ok that day you wouldn't be able to wear anything that day (April 18, 2018, at 11:10 AM)*

*Chris Kinney: Or you could go in the bathroom take them off and then I could come in and diaper youn (April 18, 2018, at 11:11 AM)*

15. On April 18, 2018, Kinney continues to communicate with your affiant, stating, "I bet you will look cutie in diaper (April 18, 2018, at 11:14 AM)" and, "We can eat I'm not going to take it off you untill you are wet (April 18, 2018, at 11:48 AM)." The suspect then continues his grooming behavior by stating, "Ok I would do anything you would like to do you could think of me as your dad (April 18, 2018, at 11:51 AM)." The suspect then brings up the subject about your affiant wearing a diaper around the mall and states, "I'm going to make it show while we walk around the mall (April 18, 2018, at 12:28 PM)." When asked what to say if someone approaches your affiant, the suspect states, "You have a bladder problem (April 18, 2018, at 12:33 PM)." Immediately after the last message, the suspect asks, "Have you had your period (April 18, 2018, at 12:34 PM)."

16. Kinney continues his grooming behavior by asking your affiant, a person whom he believes is a 14-year-old girl, about their sexual history. After advising the suspect that your affiant was a virgin and asking him (the suspect) if he thought your affiant, a person whom he believes to be a 14-year-old girl was attractive, the suspect states, "Yes i find you very attractive (April 18, 2018, at 1:40 PM)." It should be noted that when conducting this investigation, your affiant used an undercover Facebook page purporting to be that of a girl, displaying a DOB: 8/1/04, bearing several age-regressed images of a female RISP trooper. The Facebook page is an "open" page, meaning any Facebook user could view all of its content, including the images and profile owner's date of birth.

17. On April 18, 2018, at 2:21 PM, Kinney sends your affiant a picture of a middle-aged white male wearing glasses and a hooded sweatshirt and identifies the person in the picture as himself. After your affiant receives the picture, your affiant advised Kinney that your affiant had to leave for a friend's house. Kinney responds by

asking "If your friend has a taper measure measure your waist (April 18, 2018, at 2:37 PM)" and "That will hello with the diaper size (April 18, 2018, at 2:38 PM)."

18. On April 19, 2018, continues his grooming behavior by telling your affiant to call him dad while in the mall. On April 19, 2018, at 4:25 PM, the suspect sends your affiant a message stating, "Here what the diaper would look like." Directly after the aforementioned message, the suspect sends an image of a child's diaper. The suspect continues to communicate with grooming behaviors and states, "I just you to tell dad what you want to do (April 19, 2018, at 4:35 PM)," and "What do you like to eat (April 19, 2018, at 4:57 PM)," and "You also need to tell me when you get a spank by your mom and tell me what you did to get it too (April 19, 2018, at 5:00 PM)." The suspect then talks about how he would punish your affiant by stating, "If i did spank you I would put you in a corner with no pants on and a pacifier in the mouth (April 19, 2018, at 5:25 PM)." Additionally, the suspect states, "Not listen could be both depend on what you didn't listen if you where going to get hurt spanking bare bottom (April 19, 2018, at 5:32 PM)."

19. On April 19, 2018, your affiant and the suspect continue to communicate through Facebook messenger. Kinney continues his grooming behavior and talks about the last time he has spanked someone:

*Chris Kinney: What does your mom do for work (April 19, 2018, at 6:13 PM)*

Undercover: what r u thinking about? And my mom is a nurse (April 19, 2018, at 6:13 PM)

*Chris Kinney: Ok where (April 19, 2018, at 6:14 PM)*

Undercover: i rather not say (April 19, 2018, at 6:16 PM)

*Chris Kinney: Ok why not (April 19, 2018, at 6:16 PM)*

Undercover: idk...why do u want to know (April 19, 2018, at 6:18 PM)

*Chris Kinney: Just wondering (April 19, 2018, at 6:19 PM)*

*Chris Kinney: Is your mom home now (April 19, 2018, at 6:21 PM)*

Undercover: not yet, usually around 730 (April 19, 2018, at 6:21 PM)

*Chris Kinney: Ok (April 19, 2018, at 6:21 PM)*

*Chris Kinney: Do you have anything that need to be done before she come home (April 19, 2018, at 6:22 PM)*

Undercover: not really (April 19, 2018, at 6:23 PM)

*Chris Kinney: Ok I don't want her to spank you (April 19, 2018, at 6:23 PM)*

Undercover: thats cause u want to ☺ (April 19, 2018, at 6:25 PM)

*Chris Kinney: Yes if you are bad enough (April 19, 2018, at 6:26 PM)*

Undercover: so whens the last time u spanked someone (April 19, 2018, at 6:27 PM)

*Chris Kinney: About a month ago (April 19, 2018, at 6:28 PM)*

Undercover: tell me about it (April 19, 2018, at 6:28 PM)

*Chris Kinney: She wasn't listen I took her in to her room pull down her pants and underwear and spanked her bare butt then put her in the corner with a pacifier in it for like 20 mins (April 19, 2018, at 6:34 PM)*

Undercover: is she my age (April 19, 2018, at 6:35 PM)

*Chris Kinney: Yes (April 19, 2018, at 6:35 PM)*

At the end of the aforementioned conversation, your affiant advises the suspect that your affiant will not be able to talk for three (3) days. The suspect responds by stating, "Ok (April 19, 2018, at 6:50 PM)" and "Love you (April 19, 2018, at 6:53 PM)."

20. On April 23, 2018, Kinney continues his grooming behavior through Facebook messenger by stating, "Hey I know what you can tell your mom you sign up for a big brother /dad and they match you with me and then go from there (April 23, 2018, at 11:28 PM)." When asked what will that do, the suspect responds by stating, "So we can be together without getting in trouble (April 23, 2018, at 11:37 PM)." The suspect continues the grooming behavior by stating, "Have pizza walk around the mall i want to get to know you better I could push you on a swing (April 23, 2018, at 12:03 PM)" and, "If you give me some idea too you are my daughter." The suspect then describes how he would change the diaper of your affiant, whom Kinney believes is a 14-year-old girl. The suspect states, "I would take you into the bathroom put you on the changing table if you on it or lay you on the floor with a pad under you pull down your pants untaped the diaper pull it out

from (April 23, 2018, at 12:21 PM)" and, "You and wipe you down and put a dry diaper on you (April 23, 2018, at 12:21 PM)." When asked where he (the suspect) would wipe, Kinney states, "Your butt (April 23, 2018, at 12:22 PM)" and, "Ok would you want me to wipe in the middle of your leg (April 23, 2018, at 12:24 PM)" and then elaborates by stating, "No higher up (April 23, 2018, at 12:26 PM)." Shortly after your affiant states, "you seem nervous though...which i understand (April 23, 2018, at 12:26 PM)." The suspect responds by stating, "Yes you are only 14 (April 23, 2018, at 12:26 PM)" and, "Ok daughter (April 23, 2018, at 12:27 PM)."

21. The conversation continues, with Kinney sexualizing the conversation by talking about his penis:

*Chris Kinney: You know when I'm chsnnging you I may get hard too (April 23, 2018, at 1:48 PM)*

Undercover: i would hope so (April 23, 2018, at 1:49 PM)

*Chris Kinney: Yes (April 23, 2018, at 1:50 PM)*

*Chris Kinney: Lol (April 23, 2018, at 1:50 PM)*

*Chris Kinney: Would you use a pacifier or bottle too (April 23, 2018, at 1:50 PM)*

Undercover: just with you i would (April 23, 2018, at 1:50 PM)

*Chris Kinney: Ok cool (April 23, 2018, at 1:50 PM)*

Undercover: so this is all obviously a sexual turn on for you (April 23, 2018, at 1:51 PM)

*Chris Kinney: No How about you (April 23, 2018, at 1:51 PM)*

Undercover: oh...i thought it was because u said you may get hard (April 23, 2018, at 1:52 PM)

*Chris Kinney: Yes I do sometime (April 23, 2018, at 1:52 PM)*

Undercover: cool (April 23, 2018, at 1:53 PM)

*Chris Kinney: Would you do anything if you saw me that way I wouldn't make any move (April 23, 2018, at 1:53 PM)*

Undercover: saw u what way (April 23, 2018, at 1:54 PM)

*Chris Kinney: Hard (April 23, 2018, at 1:54 PM)*

Undercover: oh..yea ill do whatever you want me to do (April 23, 2018, at 1:55 PM)

*Chris Kinney: Ok I would let you do anything you want to that part would be up to you (April 23, 2018, at 1:55 PM)*

Undercover: like i said b4, i def like you taking charge (April 23, 2018, at 1:56 PM)

*Chris Kinney: Ok (April 23, 2018, at 1:56 PM)*

Undercover: so if you want me to do anything i want to know (April 23, 2018, at 1:57 PM)

*Chris Kinney: If you want to touch it you could (April 23, 2018, at 1:58 PM)*

Undercover: ok i would want to, what else (April 23, 2018, at 1:58 PM)

*Chris Kinney: Anything (April 23, 2018, at 1:59 PM)*

Undercover: yes (April 23, 2018, at 1:59 PM)

*Chris Kinney: Ok (April 23, 2018, at 2:01 PM)*

Undercover: so tell me what the plan is (April 23, 2018, at 2:02 PM)

*Chris Kinney: Well we would meet at the mall when you are ready go to the family bathroom put the diaper on you and then walk around get some food then we can go walk around some more then maybe go to a park or the bike patch and walk it so I get to know you better (April 23, 2018, at 2:06 PM)*

Undercover: ok...then what (April 23, 2018, at 2:07 PM)

*Chris Kinney: Don't know right now I would like to go somewhere I could get some good pic of you in the diaper if you want me too (April 23, 2018, at 2:08 PM)*

22. Kinney continues the same sexually explicit conversation by stating, "What would you do if I was hard and pull it out (April 23, 2018, at 3:08 PM)." The suspect then states, "I will tell you I would never put it next to your hole (April 23, 2018, at 3:10 PM)." When asked why, the suspect states, "To young (April 23, 2018, at 3:11 PM)." The suspect then states to your affiant, a person whom he believes is a 14-year-old girl, "Anything you want touch it play with it (April 23, 2018, at 3:21 PM)." Your affiant then inquires about how the suspect would clean the 14-year-old girl, for which he (the suspect) replies, "Around you butt and if you want around your front hole (April 23, 2018, at 3:40 PM)."

Shortly after the suspect states, "Cool that you will love that we just can't be in the bathroom to long people may call the police (April 23, 2018, at 4:01 PM)." The suspect also later clarifies that "front hole" meant "vagina."

23. On April 24, 2018, the suspect continues to communicate to your affiant about the 14-year-old girl wearing a diaper. The suspect asks, "Have you been thinking about the diaper and do you think you will be able to pee in it (April 24, 2018, at 9:22 AM)." Additionally, Kinney's sexually explicit conversation continues:

*Chris Kinney: I know your young have you ever thought about sex (April 24, 2018, at 12:44 PM)*

Undercover: of course! (April 24, 2018, at 12:45 PM)

*Chris Kinney: Ok like what (April 24, 2018, at 12:45 PM)*

Undercover: what do u mean...i think about sex silly (April 24, 2018, at 12:46 PM)

*Chris Kinney: Ok like when you would like it to start going inside you (April 24, 2018, at 12:47 PM)*

Undercover: i would now if the person was right (April 24, 2018, at 12:48 PM)

*Chris Kinney: Ok (April 24, 2018, at 12:48 PM)*

*Chris Kinney: Just wondering hoe do you think your mom going to feel about it (April 24, 2018, at 12:49 PM)*

Undercover: shes not gonna know about it (April 24, 2018, at 12:49 PM)

*Chris Kinney: Ok (April 24, 2018, at 12:49 PM)*

*Chris Kinney: You just need to make sure you have condom and I hear it painfully the first time for a girl (April 24, 2018, at 12:50 PM)*

Undercover: of course (April 24, 2018, at 12:50 PM)

*Chris Kinney: Of course what (April 24, 2018, at 12:52 PM)*

Undercover: of course i will have a condom (April 24, 2018, at 12:52 PM)

Undercover: well i obviously cant buy condoms might look bad lol (April 24, 2018, at 12:52 PM)

Undercover: have u ever been with someone my age b4? sorry if thats embarrassing, im just a little self conscious (April 24, 2018, at 12:53 PM)

*Chris Kinney: No I haven't (April 24, 2018, at 12:53 PM)*

Undercover: K (April 24, 2018, at 12:54 PM)

*Chris Kinney: I would maybe do something if I knew i wouldn't get in trouble but I wouldn't make the first move when it came to that (April 24, 2018, at 12:57 PM)*

24. As the conversation continues, Kinney begins to talk more graphically about sexual activity and solicits your affiant, whom he believes is a 14 years of age, for sexual intercourse: <sup>2</sup>

*Chris Kinney: If you ever did decided that you want to have sex and want it to be with me I would go easy going in and have you sucking on a pacifier (April 24, 2018, at 1:30 PM)*

Undercover: wow that def sounds like fun! Wow (April 24, 2018, at 1:31 PM)

*Chris Kinney: Yes and after you where in a diaper and wet (April 24, 2018, at 1:32 PM)*

Undercover: i love it (April 24, 2018, at 1:32 PM)

*Chris Kinney: Yes but I wouldn't make the first move that would be up to you (April 24, 2018, at 1:32 PM)*

Undercover: i def would not do that...wayyyy to shy (April 24, 2018, at 1:33 PM)

Undercover: that sux then (April 24, 2018, at 1:33 PM)

*Chris Kinney: I just do want to push you into something you aren't ready for (April 24, 2018, at 1:34 PM)*

Undercover: you wouldnt be (April 24, 2018, at 1:34 PM)

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<sup>2</sup> Under Rhode Island law, pursuant to § 11-37-6, Third degree sexual assault, "A person is guilty of third degree sexual assault if he or she is over the age of eighteen (18) years and engaged in sexual penetration with another person over the age of fourteen (14) years and under the age of consent, sixteen (16) years of age." Under R.I.G.L. § 11-37-8.1, First degree child molestation sexual assault, "A person is guilty of first degree child molestation sexual assault if he or she engages in sexual penetration with a person fourteen (14) years of age or under."

*Chris Kinney: No your not shy if you are willing to wear a diaper out in public (April 24, 2018, at 1:34 PM)*

*Chris Kinney: Ok (April 24, 2018, at 1:34 PM)*

Undercover: i am shy trust me (April 24, 2018, at 1:35 PM)

*Chris Kinney: Ok (April 24, 2018, at 1:35 PM)*

Undercover: so would u want to do that at the mall to (April 24, 2018, at 1:39 PM)

*Chris Kinney: What that (April 24, 2018, at 1:39 PM)*

Undercover: you said have sex (April 24, 2018, at 1:40 PM)

*Chris Kinney: No that would have to be done somewhere else (April 24, 2018, at 1:41 PM)*

Undercover: so would that be after we walk around the mall? (April 24, 2018, at 1:41 PM)

*Chris Kinney: Yes and eat if you want too (April 24, 2018, at 1:48 PM)*

Undercover: hell yea (April 24, 2018, at 1:49 PM)

*Chris Kinney: I just hope we don't get in trouble (April 24, 2018, at 1:50 PM)*

Undercover: i would never tell dont worry (April 24, 2018, at 1:50 PM)

*Chris Kinney: Ok special the police (April 24, 2018, at 1:50 PM)*

25. On April 25, 2018, Kinney continues to utilize grooming behavior and to solicit your affiant for sexual activity:

*Chris Kinney: Where you think about our talk from yesterday (April 25, 2018, at 7:37 AM)*

Undercover: about what the sex talk? (April 25, 2018, at 7:38 AM)

*Chris Kinney: Yes (April 25, 2018, at 7:39 AM)*

Undercover: what specifically do u want to know (April 25, 2018, at 7:39 AM)

*Chris Kinney: Anything (April 25, 2018, at 7:40 AM)*

Undercover: well ask me (April 25, 2018, at 7:41 AM)

*Chris Kinney: Where your panties all wet when you got home (April 25, 2018, at 7:41 AM)*

Undercover: maybe ☺ (April 25, 2018, at 7:42 AM)

*Chris Kinney: Yes there (April 25, 2018, at 7:42 AM)*

*Chris Kinney: Where (April 25, 2018, at 7:43 AM)*

Undercover: yes i was (April 25, 2018, at 7:43 AM)

*Chris Kinney: I'm off from work today so I will be here all day my daughter (April 25, 2018, at 7:44 AM)*

*Chris Kinney: Lol (April 25, 2018, at 7:44 AM)*

*Chris Kinney: I know that (April 25, 2018, at 7:44 AM)*

Undercover: lol...k (April 25, 2018, at 7:45 AM)

*Chris Kinney: Do you like French kiss (April 25, 2018, at 7:46 AM)*

Undercover: of course (April 25, 2018, at 7:46 AM)

*Chris Kinney: Cool (April 25, 2018, at 7:46 AM)*

*Chris Kinney: You kow if you ask me to go inside you i want you to suck on a pacifier while I'm in there (April 25, 2018, at 7:47 AM)*

Undercover: when say go inside do you mean sex or like without condom,..im confused (April 25, 2018, at 7:48 AM)

*Chris Kinney: Mean sex in your front hole if you want me to i would use a condom with you (April 25, 2018, at 7:50 AM)*

Undercover: def condom and im not opposed to doing it...hopefully it wouldnt hurt to bad (April 25, 2018, at 7:51 AM)

*Chris Kinney: it going to hurt a lot untill your hole open up but it we did and you ask me to stop I would (April 25, 2018, at 7:52 AM)*

*Chris Kinney: You should try to get some condom (April 25, 2018, at 7:53 AM)*

Undercover: no way...i would get in seriousl trouble...people would ask questions,,,im way to young to a store and get some (April 25, 2018, at 7:53 AM)

26. April 25, 2018, at 10:24 AM, Kinney sends another image of a middle-aged white male standing in the bathroom. The male's head is not visible. Additionally, the suspect states, "You know how you ask me yesterday if I have ever been with a girl your age before I forgot about the one when I was around 28 and she was 15 we never did anything together she just touch it through my pants (April 25, 2018, at 10:31 AM)." The

suspect later states, "Well when you are ready and after you wet the diaper I would change you and start to play around with your hole and we can go from there (April 25, 2018, at 11:39 AM)" and, "I would stick my hand down the front of your sweatpants to see how wet you are grab your butt (April 25, 2018, at 11:41 AM)." Furthermore, the suspect then states, "If we are at your house where do you want me to put you to change you and if you want to have sex where do you want to do it (April 25, 2018, at 11:48 AM)." Kinney also continues to voice his concern about getting in trouble by stating, "OK just wondering I just don't want us to get into trouble that all" and "Ok special police (April 25, 2018, at 1:10 PM)." In addition, the suspect makes a veiled threat to your affiant, a person whom he (the suspect) believes to be a 14-year-old girl about going into, "foster care," if we were ever caught:

*Chris Kinney: I will tell you if we did you would go to Forster care (April 25, 2018, at 1:11 PM)*

*Chris Kinney: How your pants lol (April 25, 2018, at 1:11 PM)*

Undercover: why would i go to foster care? (April 25, 2018, at 1:12 PM)

*Chris Kinney: I hear because your mom wasn't watching you. (April 25, 2018, at 1:12 PM)*

27. On April 26, 2018, through Facebook messenger, Kinney and your affiant agree to meet at the Warwick Mall Food Court, located at 400 Bald Hill Road, Warwick, RI. On the subject of meeting, the suspect states, "With what I have the diaper ready and I can get some condom and some lube to help it go in if you want it to (April 26, 2018, at 10:34 AM)" and, "Ok if you want every thing we will have to go there right or do you just want to do the diaper today if i can meet you then we could meet again and do more (April 26, 2018, at 1:10 PM)," to which your affiant replies "im down for everything, so whatever u want to do is cool with me (April 26, 2018, at 1:11 PM)." The suspect then states, "Ok i just don't want to get you or me in trouble (April 16, 2018, at 1:12 PM) and, "I can't believe you want to have sex with someone older then you (April 26, 2018, at 1:13 PM). The suspect

then makes another veiled threat to your affiant by stating that your affiant's mother could lose her job if we were caught by the police.

28. On April 26, 2018, at approximately 2:00 PM, members of the RISP Computer Crimes Unit and Internet Crimes Against Children Task Force responded to the pre-arranged meeting location, Warwick Mall Food Court, 400 Bald Hill Road, Warwick, Rhode Island. At approximately 2:20 PM, detectives observed Kinney enter the Warwick Mall through an entrance near Target department store. Detectives then observed Kinney walk the full length of the mall in the direction of the food court, where he then walked towards the children's carousel. Based upon my training and experience, Kinney's behavior was consistent with someone conducting counter surveillance in an attempt to locate and identify law enforcement in the area.

29. Shortly thereafter, detectives approached Kinney and exited the Warwick Mall with him. Kinney was positively identified by Rhode Island driver's license number 2724122, as Christopher M. Kinney, DOB: 07/13/1974, of 631 Metacom Avenue, Warren, Rhode Island. Kinney was then taken into custody and an Apple iPhone 7 was taken from his pocket. Detectives then located Kinney's vehicle, a gray Toyota Camry bearing Rhode Island reg. "TJ345." Prior to being towed, a vehicle inventory revealed the following items:

- Gillette Clear Gel Deodorant
- Diaper bag containing several diapers
- Two (2) Trojan condoms
- Pacifier and baby bottle
- Loose Skittles candy in a zip-loc bag
- A canister of children's' bubble fluid

30. Kinney was later transported to RISP headquarters where he was read his Miranda rights, signed a rights form acknowledging receipt of his Miranda rights, waived his rights, and agreed to speak with both Special Agent Jamie Richardson and your affiant. Additionally, Kinney signed a consent to search his Apple iPhone 7,

*ckinney2429@gmail.com* e-mail account and, Facebook account (user ID 100009634308113).

In sum, Kinney made the following post-arrest Mirandized statements:

- Kinney advised that he lives with Jane Doe. Kinney further stated that Doe has two children, a 5-year-old boy and a 4-year-old girl both of whom are in DCYF custody.
- Kinney identified his e-mail accounts as *ckinney2429@gmail.com* and *ckinney2429@icloud.com*.
- Kinney identified his Facebook account as Chris Kinney.
- Kinney advised that he has Kik messenger downloaded on his Apple iPhone. Kinney stated his Kik username is *Chris Micheal*.
- Kinney identified the Apple iPhone 7 found on is person as the only device he uses to access the Internet. Furthermore, Kinney stated that he is the only one with access to the phone.
- Kinney further advised that he created the "Chris Kinney" Facebook account and acknowledged joining various child punishment groups described previously in this affidavit.
- Kinney acknowledged initiating communication with your affiant, a person whom he believed to be a 14-year-old girl.
- Kinney stated that he was the only person communicating with your affiant using his Facebook account using Facebook Messenger.
- Kinney acknowledged believing that he was communicating with a 14-year-old girl when he corresponded with your affiant.
- Kinney stated he communicated with your affiant about wearing a diaper and getting spanked. Kinney initially denied bringing up sex to your affiant.
- After reading through the chat communications, Kinney then acknowledged that he did initiate conversation about sex.
- Furthermore, Kinney stated that when he talked about "his daughter" he was lying. Kinney stated he made this up to attempt to make your affiant more comfortable and relate to him (Kinney) better.
- When asked why he was talking to a 14-year-old girl about spanking, Kinney stated, "I don't know." Kinney later acknowledged he knew what he was doing was wrong and against the law.
- Your affiant then voiced his concern over whether Kinney was physically hurting children. Kinney then stated, "let me tell you something, I loved kids to death okay. As a matter of fact, I even went to classes to become a foster parent."

- Kinney denied ever punishing his children the way he described through the chat communications.
- Kinney further stated that he asked to date your affiant's mother to make the affiant more comfortable.
- Kinney admitted to being sexually aroused by the idea of the 14-year-old girl putting on a diaper. Additionally, Kinney acknowledged being sexually attracted to the 14-year-old girl depicted on your affiant's undercover Facebook page with whom Kinney was corresponding.
- Kinney stated that he told the 14-year-old girl to tell a suspecting person she had a bladder problem in order to avoid trouble at the mall.
- Kinney stated that the picture of the juvenile in the diaper, which is described previously in this affidavit, was found on the Internet. Kinney stated the girl looked like she was twelve (12) years-old.
- Kinney admitted to asking the 14-year-old girl, with whom he thought he was corresponding, to touch his penis.
- Kinney stated he would have taken a picture of the 14-year-old girl in the diaper.
- Kinney admitted to telling the 14-year-old girl that he was going to put his penis inside of her vagina while the 14-year-old was sucking on a pacifier.
- Kinney admitted to calling the 14-year-old girl daughter to make her more comfortable.
- Kinney admitted that he was attempting to scare the 14-year-old from calling the police when he said that she would go to foster care if caught with him. Kinney agreed that this was a veiled threat on his part.
- Kinney admitted that he was going to the Warwick Mall to meet the 14-year-old girl and was going to put a diaper on the girl and walk around the mall with her until she soiled herself. Kinney admitted he intended to have sexual contact with the girl.
- Kinney admitted to bringing diapers that would fit the 14-year-old girl.
- Kinney admitted to bringing the baby bottle and pacifier for the 14-year-old girl.
- Kinney admitted to bringing the condoms to use during sexual contact with the 14-year-old girl.
- Kinney admitted that he went to the Mall with the intention of meeting the 14-year-old girl and this was not merely fantasy for him.
- When asked why he asked the 14-year-old girl to pick a code word for sex, Kinney stated that it was a cover in case Facebook administrators were monitoring their chats.
- Kinney defined a child up to the age of eighteen (18).

- After explaining the definition of child pornography for Kinney, he stated that he has child pornography on his Apple iPhone.
- Kinney admitted to receiving child pornography through his *ckinney2429@gmail.com* account.
- Kinney also admitted to sending and receiving child pornography from other through Kik messenger, e-mail and Facebook.
- Kinney defined a pedophile as "someone who touches children." When asked if he was pedophile Kinney stated, "Maybe, a little."
- Kinney stated he is sexually attracted to toddlers, and anyone prepubescent. Kinney acknowledged that he has a "problem" with this.

31. On April 26, 2018, your affiant performed the analysis of the Apple iPhone 7 seized from Kinney. The analysis revealed approximately fifty-six (56) images of child pornography. Your affiant viewed two (2) of the images and confirmed their content to be consistent with the definition of child pornography as defined in 18 U.S.C. § 2252(a)(4)(B):

- 1.) A color image depicting two (2) nude pre-pubescent males. The males are simultaneously performing oral sex on each other.
- 2.) A color image of an infant lying nude on her back with her genitals exposed.

In addition to the files of child pornography, your affiant also identified numerous times where Kinney distributed images of child pornography to other people via the third-party chat application Kik messenger. Furthermore, it should be noted that your affiant located numerous images and videos of badly beaten children in Kinney's Apple iPhone. Your affiant conducted a search of Kinney's Gmail account, *ckinney2429@gmail.com*. The search revealed numerous files of child pornography and files of children being harshly punished and/or beaten. Additionally, your affiant located e-mails wherein Kinney distributes child pornography.

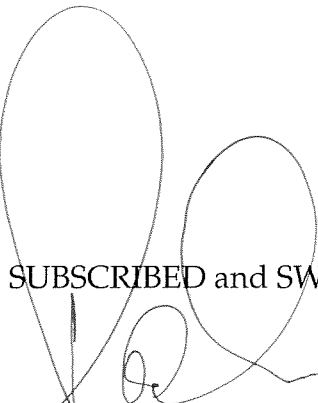
CONCLUSION

32. Based on the foregoing, I request that an arrest warrant be issued for CHRISTOPHER KINNEY for attempted enticement of a minor, in violation of 18 U.S.C. § 2422(b), distribution of child pornography, in violation of 18 U.S.C. § 2252(a)(2), and possession of child pornography, in violation of 18 U.S.C. § 2252(a)(4)(B).

Sworn to under the pains and penalties of perjury,



ADAM HOUSTON  
Detective, Computer Crimes Unit, RISP  
Task Force Officer, HSI



SUBSCRIBED and SWORN to before me on April 27, 2018.



PATRICIA A. SULLIVAN  
UNITED STATES MAGISTRATE JUDGE